

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

GERALD EASTON, Derivatively On  
Behalf of QUESTCOR  
PHARMACEUTICALS, INC.,

Plaintiff,

vs.

DON M. BAILEY, MICHAEL H.  
MULROY, STEPHEN L. CARTT,  
DAVID YOUNG, VIRGIL D.  
THOMPSON, MITCHELL J. BLUTT,  
MD, NEAL C. BRADSHAW,  
STEPHEN C. FARRELL, LOUIS E.  
SILVERMAN and SCOTT M.  
WHITCUP, MD.,

Defendants,

– and –

QUESTCOR PHARMACEUTICALS,  
INC., a California Corporation,

Nominal Party.

Case No. SACV12-01716-DMG  
(FMOx)

[PROPOSED] ORDER  
CONSOLIDATING ACTIONS AND  
APPOINTING LEAD COUNSEL

DATE: November 30, 2012  
TIME: 9:30 a.m.  
CTRM: 7  
JUDGE: Hon. Dolly M. Gee

Date Case Filed: 10/4/12

Caption continued on following pages.

1 BRUCE JOHNSON, Derivatively on  
2 Behalf of QUESTCOR  
3 PHARMACEUTICALS, INC.,

4 Plaintiff,

5 vs.

6 DON M. BAILEY, MICHAEL H.  
7 MULROY, STEPHEN L. CARTT,  
8 DAVID YOUNG, VIRGIL D.  
9 THOMPSON, MITCHELL J. BLUTT,  
10 NEAL C. BRADSHAW, STEPHEN C.  
11 FARRELL, LOUIS E. SILVERMAN  
12 and SCOTT M. WHITCUP,

13 Defendants,

14 – and –

15 QUESTCOR PHARMACEUTICALS,  
16 INC.,

17 Nominal Party.

) Case No. SACV12-01718-DMG  
(FMOx)

) Date Case Filed: 10/4/12

18 NILABRATA GOSWAMI, Individually  
19 and On Behalf of All Others Similarly  
20 Situated,

21 Plaintiff,

22 vs.

23 DON M. BAILEY, MICHAEL H.  
24 MULROY, STEPHEN L. CARTT,  
25 DAVID YOUNG, VIRGIL D.  
26 THOMPSON, MITCHELL J. BLUTT,  
27 and STEPHEN C. FARRELL,

28 Defendants,

– and –

QUESTCOR PHARMACEUTICALS,  
INC.,

Nominal Defendant.

) Case No. SACV12-01753-DMG  
(FMOx)

) Date Case Filed: 10/11/12

Caption continued on following page.

1 EARL RICHARDS, Individually and  
2 On Behalf of All Others Similarly  
3 Situated,

4 Plaintiff,

5 vs.

6 DON M. BAILEY, MICHAEL H.  
7 MULROY, STEPHEN L. CARTT,  
8 DAVID YOUNG, VIRGIL D.  
9 THOMPSON, MITCHELL J. BLUTT,  
10 and STEPHEN C. FARRELL,

11 Defendants,

12 – and –

13 QUESTCOR PHARMACEUTICALS,  
14 INC.,

15 Nominal Defendant.

Case No. SACV12-01754-DMG  
(FMOx)

Date Case Filed: 10/11/12

16 JAMES TRIPOLI, Derivatively On  
17 Behalf of QUESTCOR  
18 PHARMACEUTICALS,

19 Plaintiff,

20 vs.

21 DON M. BAILEY, MICHAEL H.  
22 MULROY, STEPHEN L. CARTT,  
23 DAVID YOUNG, DAVID J.  
24 MEDEIROS, MITCHELL J. BLUTT,  
25 VIRGIL D. THOMPSON, STEPHEN  
26 C. FARRELL, NEAL C. BRADSHER,  
27 LOUIS E. SILVERMAN, and SCOTT  
28 M. WHITCUP,

Defendants,

– and –

QUESTCOR PHARMACEUTICALS,  
INC., a California Corporation,

Nominal Defendant.

Case No. SACV12-01759-AG(MLGx)

Date Case Filed: 10/11/12

The Court, having considered the Notice of Motion and Motion for Consolidation and Appointment of Lead Counsel (the “Motion”), filed by Plaintiffs Gerald Easton and Bruce Johnson, and all arguments and papers submitted in connection with the Motion, and good cause being shown, HEREBY ORDERS THAT:

**IV. CONSOLIDATION OF THE RELATED SHAREHOLDER DERIVATIVE ACTIONS**

12. Pursuant to Rule 42(a) of the Federal Rules of Civil Procedure, the following actions are hereby consolidated for all purposes, including pre-trial proceedings and trial (the “Consolidated Action”):

Case Name	Case No.	Date Filed
<i>Easton v. Bailey, et al.</i>	SACV12-01716-DMG (FMOx)	10/4/12
<i>Johnson v. Bailey, et al.</i>	SACV12-01718-DMG (FMOx)	10/4/12
<i>Goswami v. Bailey, et al.</i>	SACV12-01753-DMG (FMOx)	10/11/12
<i>Richards v. Bailey, et al.</i>	SACV12-01754-DMG (FMOx)	10/11/12
<i>Tripoli v. Bailey, et al.</i>	SACV12-01759-AG (MLGx)	10/11/12

**V. CAPTION OF CASES**

2. Every pleading filed in this Consolidated Action, or in any separate actions included herein, shall bear the following caption:

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

In re QUESTCOR  
PHARMACEUTICALS, INC.  
DERIVATIVE LITIGATION

) Master File No.  
) SACV12-01716-DMG(FMOx)

\_\_\_\_\_  
This Document Relates To:  
ALL ACTIONS.

) (Consolidated with Nos. SACV12-  
) 01718-DMG(FMOx), SACV12-01753-  
) DMG(FMOx), SACV12-01754-  
) DMG(FMOx), SACV12-01759-  
) AG(MLGx))

3. When a case which properly belongs as part of *In re Questcor Pharmaceuticals, Inc. Derivative Litigation*, Master File No. SACV12-01716-DMG (FMOx), is hereafter filed in the Court or transferred here from another court, this Court requests the assistance of Co-Lead Counsel in calling to the attention of the clerk of the Court the filing or transfer of any case which might properly be consolidated as part of the Consolidated Action.

4. This Order shall apply to each case which is subsequently filed in, removed to, or transferred to this Court that arises out of the same or substantially the same transactions or events as set forth in the Consolidated Action.

5. Co-Lead Counsel, upon receiving notice of any shareholder derivative actions that are related to the Consolidated Action that are hereinafter filed in, removed to, or transferred to this District, shall serve a copy of such Order on the parties to such subsequently filed action.

**VI. APPOINTMENT OF CO-LEAD COUNSEL**

6. The Weiser Law Firm, P.C. and Johnson & Weaver, LLP shall serve as Co-Lead Counsel for Plaintiffs in the Consolidated Action, and in actions subsequently filed in, removed to or transferred to this Court, arising out of the same, or substantially the same, transactions or events as this Consolidated Action.

7. Co-Lead Counsel shall have authority to speak for Plaintiffs in matters regarding pre-trial procedure, trial and settlement negotiations and shall make all work

1 assignments in such manner as to facilitate the orderly and efficient prosecution of this  
2 litigation and to avoid duplicative or unproductive effort.

3 8. Co-Lead Counsel shall be responsible for coordinating all activities and  
4 appearances on behalf of Plaintiffs and for the dissemination of notices and orders of  
5 this Court. No motion, request for discovery or other pre-trial or trial proceedings  
6 shall be initiated or filed by any Plaintiffs except through Co-Lead Counsel.

7 9. Co-Lead Counsel shall be responsible for creating and maintaining a  
8 master service list of all parties and their respective counsel.

9 10. Counsel for Defendants and nominal party Questcor Pharmaceuticals,  
10 Inc. ("Questcor") may rely upon all agreements made with Co-Lead Counsel, or other  
11 duly authorized representative of Co-Lead Counsel, and such agreements shall be  
12 binding on all Plaintiffs.

13 **VII. SCHEDULING**

14 11. Within ten (10) court days from entry of this Order, Co-Lead Counsel  
15 and counsel for Questcor and the Defendants shall meet and confer to negotiate a  
16 mutually agreeable schedule for the filing of a Consolidated Complaint (or a date by  
17 which to designate an operative complaint), including a schedule for the briefing and  
18 hearing of any responsive motions thereto (the "Responsive Motions"). No later than  
19 fifteen (15) court days from entry of this Order, Co-Lead Counsel and counsel for  
20 Questcor and the Defendants shall file a proposed stipulation and order setting forth  
21 the agreed upon schedule for the filing of the Consolidated Complaint (or the  
22 designation of the operative complaint) and a proposed schedule for the briefing and  
23 hearing of the Responsive Motions.

24 IT IS SO ORDERED.

25 DATED: \_\_\_\_\_

26 HON. DOLLY M. GEE  
27 UNITED STATES DISTRICT COURT JUDGE  
28

CERTIFICATE OF SERVICE

I hereby certify that on October 27, 2012, I authorized the electronic filing of the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I hereby certify that I am a member of the Bar of the United States District Court, Central District of California.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on October 27, 2012.

s/ KATHLEEN A. HERKENHOFF  
KATHLEEN A. HERKENHOFF

THE WEISER LAW FIRM, P.C.  
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## **Mailing Information for a Case 8:12-cv-01716-DMG-FMO**

### **Electronic Mail Notice List**

The following are those who are currently on the list to receive e-mail notices for this case.

- **Frank J Johnson**  
frankj@johnsonandweaver.com,shawnf@johnsonandweaver.com,shelbyr@johnsonandweaver.com
- **Peter Bradley Morrison**  
peter.morrison@skadden.com,alejandra.lopez@skadden.com,allison.velkes@skadden.com

### **Manual Notice List**

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**David Elliot**  
Johnson and Weaver, LLP  
110 West A Street Suite 750  
San Diego, CA 92101